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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/621,783	07/21/2000	Junichi Tanahashi	36.P270	4974

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EXAMINER

BRINICH, STEPHEN M

ART UNIT	PAPER NUMBER
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2624

DATE MAILED: 08/17/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

09/621,783

**Applicant(s)**

TANAHASHI ET AL.

**Examiner**

Stephen M Brinich

**Art Unit**

2624

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 24 May 2004.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 25-34 and 44-58 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) 25-34 and 44-52 is/are allowed.
- 6) ☐ Claim(s) 53-58 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>5/24/04</u> . | 6) <input type="checkbox"/> Other: _____  |

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**DETAILED ACTION**

***Claim Rejections - 35 USC § 112***

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 57-58 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 57, lines 1-2, the phrase "said printing means for printing at least three color components" lacks proper antecedent basis. Examiner's best estimation is that this claim is intended to recite "said printing means *includes means* for printing at least three color components"

In claim 58, lines 3, the phrase "each set of color component and object" lacks proper antecedent basis.

***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an

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application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 53-56 are rejected under 35 U.S.C. 102(e) as being anticipated by Kawamoto et al.

Re claims 53 & 56, Kawamoto et al discloses (Figures 1-2; column 8, lines 40-61) in which print data (constituting "a plurality of pages" at least in the case when a new document is printed following the printing of a previous document) is received. The format of the print data is analyzed (document configuration analyzing section 23, resource attribute analyzing section 24), and in accordance with the result objects of print data is assigned (print information splitting section 25) among a plurality of parallel developing sections for developing the print data into image data (developing sections 7, 7', 7'', etc). The resulting image data is then printed (printing engine 9).

Re claims 54-55, this limitation is inherently met when the Kawamoto et al. device is given input print data in the recited format.

***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

6. Claims 57-58 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kawamoto et al in view of Applicant's recognized Prior Art.

Kawamoto et al discloses the use of a printing engine 9. Kawamoto et al does not disclose expressly whether the disclosed printer engine prints a monochrome or polychrome image. Applicant (page 1, lines 20-22) discloses as known Prior Art the use of such a three-color-component printer.

Kawamoto et al and Applicant's known Prior Art are combinable because they are from the field of image processing and printing.

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to use the known three-color-component printer described by Applicant as the printing engine of Kawamoto et al.

The suggestion/motivation for doing so would have been enabling the Kawamoto et al image processing and printing arrangement to produce color images.

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Therefore, it would have been obvious to combine Kawamoto et al with Applicant's recognized Prior Art to obtain the invention as specified in claims 57-58.

***Allowable Subject Matter***

7. Claims 25-34 & 44-52 are allowed.
8. Applicant's arguments, see Remarks: page 11, line 13 - page 15, line 22, filed 05/24/04, with respect to claims 25-34 & 44-52 have been fully considered and are persuasive. The rejection of claims 25-34 & 44-52 has been withdrawn.

***Conclusion***

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Stephen M. Brinich at 703-305-4390. The examiner can normally be reached on weekdays 7:00-4:30, alternate Fridays off.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Tech Center 2600 Customer Service center at 703-306-0377.


If attempts to contact the examiner and the Customer Service Center are unsuccessful, supervisor David Moore can be contacted at 703-308-7452.

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Faxes pertaining to this application should be directed to  
the Tech Center 2600 official fax number, which is 703-872-9306.

  
Stephen M Brinich  
Examiner  
Art Unit 2624

smb

August 16, 2004